



JOSEPH R. BIDEN, III  
ATTORNEY GENERAL

DEPARTMENT OF JUSTICE  
KENT COUNTY  
102 WEST WATER STREET  
DOVER, DELAWARE 19904

CIVIL DIVISION (302) 739-7641  
FAX (302) 739-7652  
CRIMINAL DIVISION (302) 739-4211  
FAX (302) 739-6727  
TTY (302) 739-1545

June 6, 2008

The Honorable Joseph J. Farnan, Jr.  
U.S. District Court for the District of Delaware  
844 North King Street, Room 4209  
Lock Box 18  
Wilmington, DE 19801

RE: Board of Education of the Appoquinimink  
School District, et. al., v. SQJV,  
Civil Action No. 06-770-JJF

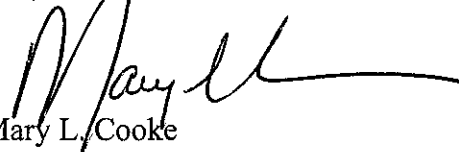
Dear Judge Farnan:

The purpose of this correspondence is to notify the Court that the Delaware Department of Education ("Department") takes no position with regard to the Motion to Stay Pending Appeal filed by Defendants Julie and Samuel Quinton Johnson, IV, parents of SQJV ("Parents"). On April 15, 2008, this Court entered Judgment granting the Motion for Summary Judgment in favor of the plaintiff, Board of Education of Appoquinimink School District; however, the Court also granted the Parents' motion to dismiss the Department from this matter.

On May 14, 2008, the Parents filed a Notice of Appeal. The undersigned has confirmed with Parents' counsel that Parents are not appealing the portion of the Order that dismissed the Department from this matter. In addition, the Department has not appealed this portion of the Order. Accordingly, the Department maintains that it not a real party in interest to this proceeding. Accordingly, the Delaware Department of Education will not participate in these proceedings unless otherwise directed by the Court.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mary L. Cooke", with a long horizontal flourish extending to the right.

Mary L. Cooke  
Deputy Attorney General  
DE Bar ID 3441

Cc: Bruce L. Hudson, Esq.  
Wayne D. Steedman, Esq.  
Michael P. Stafford, Esq.  
Martha Toomey